

20060731

1103326-0790-PCT/US 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Christina Fregler et al.
Serial No. : TBA
Filed : July 31, 2006
For : New Compounds Useful for the Synthesis of *S*- and *R*-Omeprazole and a
Process for Their Preparation
Examiner : TBA
Group Art Unit : TBA
Docket No. : 1103326-0790-PCT/US

Express Mail Label: EV832192520US
I hereby certify that this paper is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 in an envelope addressed to: Mail Stop PCT, Assistant Commissioner for Patents, Box 1450, Alexandria, VA 22313-1450, on July 31, 2006.
<u>BERNARD MAYS</u> Name of person mailing paper or fee
<u>Bernard Mays</u> Signature of person mailing paper or fee

INFORMATION DISCLOSURE STATEMENT

Mail Stop PCT
Commissioner for Patents
Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants submit this communication in compliance with 37 C.F.R. §§1.56, 1.97 and 1.98. Favorable consideration of the documents cited on the attached Form PTO/SB/08A is respectfully requested.

The referenced application is the U.S. national stage of PCT/SE2005/000221 ("the PCT application"), filed on February 17, 2005, which claims priority to Swedish patent application no. SE 0400410-7. The documents identified on the attached Form PTO/SB/08A include documents cited in the specification and/or International Search Report of the referenced

application. The Search Report is attached to and part of the published PCT application, WO 2005/080374. A copy of the published application is provided with this communication.

Applicants have identified WO 96/02535 on attached Form PTO/SB/08A, and enclose a copy herewith. WO 96/02535 is a member of the same patent family as EP 773,940, which is cited in the specification of the instant application. Accordingly, Applicants are not providing a separate copy of EP 773,940.

As part of this communication, Applicants are providing an English-language abstract for German-language patent document WO 92/08716 and for Portuguese-language patent document PT 102361, which are identified on attached Form PTO/SB/08A. Applicants submit that they have satisfied their duty of disclosure by providing the English-language abstracts.

Applicants bring to the Examiner's attention U.S. patent application serial no. 11/060,138, filed on February 17, 2005, and assigned to the same Assignee as the instant application. Serial no. 11/060,138 and the instant application both claim priority to the same Swedish priority application no. SE 0400410-7, filed on February 20, 2004.

Copies of Cited U.S. Patent Documents are Not Provided

As announced in the Official Gazette of August 5, 2003, the requirement under 37 CFR 1.98(a)(2)(i) for submitting a copy of each cited U.S. patent and each U.S. patent application publication for all U.S. national patent applications filed after June 30, 2003 and for all international applications that have entered the national stage under 35 USC 371 after June 30, 2003 has been waived.

Accordingly, copies of the U.S. patent(s) and/or published patent application(s) cited on the attached Form PTO/SB/08A is/are not provided with this Information Disclosure Statement.

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Time of Transmittal of Information Disclosure Statement

This Information Disclosure Statement is being filed under 37 C.F.R. §1.97(b)(1) concurrently with a and, therefore, no fee should be due. However, if any fee is required, the Assistant Commissioner is authorized to charge such fee to Deposit Account No. 23-1703.

Dated: July 31, 2006

Respectfully submitted,

Andrew Fessak

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